



12-29-03

✓

**PETITION TO MAKE SPECIAL UNDER RULE 102(d)**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Daniel Skorcz

Serial No.: 10/700390

Group Art Unit:

Filed: 11/03/2003

Examiner:

For: Swivel Mount for a Hydraulic Valve Operator

**PETITION TO MAKE SPECIAL**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. § 1.102(d), Applicant hereby petitions the Commissioner to make the subject application special so that it may be taken out of turn for immediate action.

Enclosed are:

1. A copy of the advertisement on the web site for E. H. Wachs; url, <http://www.wachswater.com/TM7%20Swivel.pdf>, showing a product nearly identical to the invention disclosed in the noted application;
2. A copy of December 2003 Waterworld page 51 showing E. H. Wachs "180° Swiveling Valve Operator".
3. A Declaration from the Inventor,
4. A Declaration of the undersigned attorney in compliance with M.P.E.P. § 708.02 II; and

5. A check in payment of the petition fee required under 37 C.F.R. § 1.17(I).

Due to the fact that Applicant's claims are being infringed (see noted advertisement, Declaration from inventor and Applicant's attorney) and Applicant requires a patent in order to terminate such infringement, this Petition to Make Special is being filed.

Applicant respectfully requests that this Petition be granted.

Respectfully submitted,

Lewis M. Brande, Esq.  
Brande and McCleary  
5976 Falling Tree Lane  
Alta Loma, California 91737  
Reg No. 39545

Date: December 23<sup>rd</sup>, 2003